

Revised 12/09

**MINUTES OF CRIMINAL PROCEEDINGS
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA

vs.

JOSHUA MOORE

Date: DECEMBER 19, 2016

Case No. 5:15CR77-03

Judge: CHRISTOPHER A. BOYKO

Court Reporter: SARAH NAGEOTTE

Pts/Prob Officer: BRYAN CAPEZZUTO

Interpreter: _____

Date of Arrest: _____

U.S. Attorney: JUSTIN GOULD

Attorney for Defendant(s): THOMAS CONWAY

CJA Apt: _____ X _____

Fed. Defender: _____

Retained: _____

ARRAIGNMENT:

Defendant arraigned, plea of _____ GUILTY _____ NOT GUILTY _____ NOLO CONTENDERE entered as to count(s) _____ of the _____ Indictment _____ Information.

CHANGE OF PLEA:

Defendant Plea of NOT GUILTY withdrawn, plea of _____ GUILTY _____ NOLO CONTENDERE entered as to count(s) _____ of the _____ Indictment _____ Information.

- - Plea agreement executed.
- - The Court adopts the R&R of the Magistrate Judge and finds there is a factual basis for the acceptance of the guilty plea.
- - Bond \$ _____ set _____ continued _____ detention _____ remanded to the custody of U.S. Marshal.
- - Motion of government for detention pending trial. Detention Hearing set for: _____.
- - Defendant referred to the Probation Office for Pre-sentence Investigation.
- - Jury Trial scheduled for: _____
- - Pretrial Conference scheduled for: _____
- - Sentencing scheduled for: _____

SENTENCE:

Defendant committed to the custody of the Bureau of Prisons for a period of nine (9) months ~~on count(s)~~ on Violation ~~of the _____~~ ~~Indictment~~ ~~Information~~.

Period of one (1) years of supervised release with standard/special conditions as ordered (see reverse side of form).

Fined the sum of \$ _____ Fine Waived

Restitution in the amount of \$ _____ Payable to: _____ Not Ordered.

I.S.S., Probation ordered for a period of _____ months _____ years on count(s) _____ Indictment _____ Information with standard/special conditions as ordered (see reverse side of form).

The defendant is to pay a special assessment of \$ _____ on counts _____. Total \$ _____.

Upon motion of U.S. Attorney, counts(s) _____ of the Indictment/Information are hereby dismissed.

The execution of the sentence of imprisonment is deferred and the bond continued until _____, at which time the defendant shall surrender to the United States Marshal for this district, or the designated institution.

☒ Bond is revoked and the defendant is remanded to the custody of the U.S. Marshal.

- The defendant shall not commit another federal, state or local crime, shall not illegally possess a controlled substance, shall comply with the standard conditions that have been adopted by this court, and shall comply with any additional conditions.
- The defendant shall refrain from unlawful use of a controlled substance and submit to one drug test within 15 days of the commencement of supervision and to at least two periodic drug tests thereafter, as determined by the pretrial services and probation officer.
- ☒ The defendant shall participate in an approved program of outpatient, inpatient or detoxification substance abuse treatment, which will include drug and alcohol testing to determine if the defendant has reverted to substance abuse.
- The defendant shall not possess a firearm, destructive device or any dangerous weapon.
- The defendant shall provide the probation office access to any requested financial information.
- The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.
- Financial Windfall Condition.
- Gambling Condition.
- The defendant shall enter an adult program and work toward a Certificate of General Educational Development (GED).
- Special Employment. The defendant shall comply with the Offender Employment Policy which may include participation in training, counseling, and/or daily job search as directed by the pretrial services and probation officer.
- The defendant shall participate in the Location Monitoring Program for a period of _____ months, to commence no later than 30 calendar days from sentencing.
- Search and Seizure. The defendant shall submit his/her person, residence, place of business, computer, or vehicle to a warrantless search, conducted and controlled by the U.S. Probation Officer.
- Sex Offender Registration and Notification Act (Adam Walsh Act)
- ☒ Mental Health Treatment. The defendant shall participate in an outpatient mental health treatment program.
- Cognitive Behavioral Program.
- Community Service. The defendant shall perform _____ hours of community service as directed by the probation officer.
- Gang. The defendant shall not associate with any members of a gang or threat group as directed by the probation officer.
- Deportation. The defendant shall surrender to the Bureau of Immigration and Customs Enforcement, U.S. Department of Homeland Security for deportation, and shall not illegally re-enter or remain in the United States.
- DNA Collection.
- Denial of Federal Benefits.
- Sex Offender.
- Computer/Internet. Total Prohibition on Access to a Computer Internet.
- Computer/Internet Restricted.
- Computer/Internet Access Permitted. The defendant shall abide by all rules of the Computer Restriction and Monitoring Program.
- Computer Search Only.
- Computer Employment Restriction.
- ☒ Recommendation to the Bureau of Prisons: Drug treatment; mental health treatment
- The defendant is granted credit for time already served in relation to this matter.
- ☒ The defendant advised of his/her appeal rights.

COMMENTS: Violation hearing held 12/19/2016. Defendant admits violations. Court finds defendant in violation and revokes Probation. Defendant is sentenced to custody Bureau of Prisons for term of nine months, followed by one year of supervised release to include drug treatment and mental health treatment. Defendant is remanded to custody.